

## BROWN & CONNERY, LLP

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November 2, 2021

### Via CM/ECF

Honorable Ann Marie Donio  
Mitchell H. Cohen Building  
& U.S. Courthouse  
4th & Cooper Streets  
Camden, New Jersey 08101

**Re: *Gary Evangelista, et al. v. The Housing Authority of the City of Camden, et al.*  
Case No. 1:20-cv-16824-RMB-AMD**

Dear Judge Donio:

This office represents Defendants, The Housing Authority of the City of Camden, Victor Figueroa, Kathryn Blackshear, and Deborah Person-Polk, in the above captioned matter. Defendants write to advise the Court of the status of discovery in advance of the telephone status conference on November 4, 2021 at 10:00 a.m.<sup>1</sup>

Pursuant to the Scheduling Order (ECF # 15), on July 15, 2021, Defendants served initial written discovery requests and Rule 26 disclosures on Plaintiffs, Gary Evangelista and Kaberia Fussell. On September 10, 2021, Defendants advised Plaintiffs that their discovery responses were overdue and demanded responses within two weeks. On September 17, 2021, Plaintiffs requested an extension of time to respond until October 1, 2021. Defendants consented to Plaintiffs' requested extension.

As of the filing of this letter, Plaintiffs still have not provided responses to Defendants' interrogatories and requests for production of documents. Nor have they provided Rule 26 disclosures. Thus, discovery is at a standstill. Defendants have not pressed the issue because they have filed a dispositive motion (ECF # 18), which, if granted, would terminate this case in its entirety. However, Defendants must plan for the possibility that their motion is denied. Defendants cannot take Plaintiffs' depositions without the benefit of basic discovery.

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<sup>1</sup> This conference was original set for October 6, 2021, but was rescheduled after Plaintiffs' counsel experienced a family emergency on the morning of the conference.

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We thank the Court for its time and attention to this matter.

Respectfully submitted,  
**BROWN & CONNERY, LLP**

s/ Louis R. Lessig  
Louis R. Lessig

cc: Joseph P. Guzzardo, Esq. (*via CM/ECF and e-mail*)